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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/601,040 06/20/2003		Wayne Jacob Gregoire	7169		
7590 07/07/2005			EXAM	EXAMINER	
Wayne J. Gregoire 12771 Gordon Drive		SELF, SHELLEY M			
Eden Prairie, MN 55346			ART UNIT	PAPER NUMBER	
			3725		

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary    Total MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply   AFT Unit		A	Ammlinau4/=\				
Examiner Shelley Self 3725  - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE of THIS COMMUNICATION.  - after SIX (8) MONTH's from the mailing date of this communication.  - if the period for reply specified above is best than this (2) days, a reply which the dataforty minimum of this; (20) days will be considered timely.  - if the period for reply specified above is best than the 100 days, a reply which the dataforty minimum of this; (20) days will be considered timely.  - if the period for reply specified above is best than the 100 days, a reply which the dataforty minimum of this; (20) days will be considered timely.  - if the period for reply specified above is best than the 100 days, as any which the dataforty minimum of this; (20) days will be considered timely.  - if the period construction is best than the 100 days, as any which the dataforty minimum of this; (20) days will be considered timely.  - if the period datafored timely will be datafored timely filed.  - Agriculture of the datafored timely filed on		Application No.	Applicant(s)				
Shelley Saff	Office Action Summan						
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THE MAILING DATE OF THIS COMMUNICATION.  Extensions of time may be available under the provision of 30 FR 1.13(6). In no event, however, may a reply be timely filed after 6XX (6) MONTHS from the mailing date of this communication.  I this period rarply specified betwee health with 100 days, and which in the date of the provision of the provisio	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
1)	<ul> <li>THE MAILING DATE OF THIS COMMUNICATION.</li> <li>Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.</li> <li>If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li> <li>Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).</li> <li>Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any</li> </ul>						
2a) ☐ This action is FINAL.  2b) ☑ This action is non-final.  3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) ☑ Claim(s)	Status						
3	1) Responsive to communication(s) filed on	_•					
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Application/Control Number: 10/601,040

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## **DETAILED ACTION**

## Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- Group I. Claims 1, 2 and 5-7, drawn to *combination positioning system*, classified in class 144, subclass 144.1.
- Group II. Claims 3 and 8-10, drawn to subcombination clamping apparatus, classified in class 269, subclass 37.
- Group III. Claims 4 and 11-15, drawn to a *subcombination fence*, classified in class 269, subclass 315.
- Group IV. Claim 4, drawn to *subcombination pressure bar*, classified in class 269, subclass 36.

The inventions are distinct, each from the other because of the following reasons:

Inventions of Group I and Groups II and III are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed as evidenced by claim 1. The subcombination of Group II has separate utility such as with a pantographic and scribe/stylus table. The subcombination of Group III has separate utility such as on a dovetail or tongue and groove

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template/jig. Accordingly, the inventions of Groups I and Groups II and III are separable and distinct.

Inventions of Groups II -IV are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, as noted above invention of Group II has separate utility such as with a pantographic table. Also as noted above, the invention of Group III is shown to have separate utility, such as use with a dovetail template. The invention of Group IV also has separate utility and can be used with any punching press. None of the subcombination inventions of Groups II -IV require the particulars of any of the other Groups for their operation, i.e., the invention of Group II does not rely on the particulars of the invention of Group III for its operation. Accordingly, the inventions of Group II-IV are separable and distinct. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, different search requirements, and because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shelley Self whose telephone number is 571-272-4524. The examiner can normally be reached 8:30 - 5:00 Monday thru Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached at 571-272-4419. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on accessing the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SSelf // June 29, 2005

DERRIS H. BANKS SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 3700